

# Native American Veteran Income Tax Settlement Brief

Indian Affairs Committee

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Apache Homeland Entertainment  
Center

# Native American Veteran Income Tax Settlement Brief

- 2008 Senate Memorial 43 – Sen. Linda Lovejoy requires TRD and DVS to study whether Native American Veterans had State Income Tax withheld and how many were possibly impacted
- 2008 Senate Bill 574 – Sen. John Pinto; created the Native American Veteran's Income Tax Settlement Fund
- 2009 Senate Bill 541 – Sen. John Pinto and Sen. Linda Lovejoy; establishes the statutory authority and provides \$1 million.

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## DVS/TRD/IAD 2008 Feasibility Study

- Our agencies worked together to determine:
- 1. Whether Native American Veterans who were domiciled on Tribal Lands had state income taxes withheld while on active duty.
- 2. How many were possibly impacted
- 3. What remedies were available to those veterans who might have been impacted

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- Federal Law did not permit the withholding of state income taxes from military service members until 1976 (Tax Reform Act 1976, PL 94-465)
- New Mexico enters into an agreement with DoD to withhold New Mexico State Income Taxes from Service Members 1977
- Total Number of Native American Military Service Members who served on Active Duty after 1977 – estimated at 7585
- 2007 7-2-5.11 goes into effect allowing for all Active Duty Service Members to get an exemption of military service pay.

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- Consultation with Tribal Leaders
- Town Hall meetings
- Media outreach

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- Questions.....